

JUDICIAL APPOINTMENTS

Mr. CARDIN. Mr. President, I wish to first respond, if I might, to the comments Senator KYL made in regard to consideration of judicial appointments.

Of course, one of the most important responsibilities each one of us in the Senate has is to deal with confirmation of judges who have lifetime appointments to the Federal bench. It seems to me the Republicans are criticizing the Democratic leadership because sometimes they think we move too slowly, and now they are criticizing us for moving too fast on nominations. I don't quite understand it.

I hope the public will look at the record. When President Clinton was President of the United States, when he left office, there were 32 vacancies on the circuit courts of this Nation. Today, that number stands at 12. We have moved the confirmation process forward. I think we have done it in the appropriate manner.

I would also point out that there have been three circuit court judges who have had some controversy surrounding their confirmations in which there was opposition by Democrats, but at no time did Democrats delay the consideration of those nominations on the floor. They came up, they were voted on, there was never a filibuster, and there was never an effort made to slow it down. In fact, on one judicial appointment that was voted for on this floor, it was the Republicans who asked for the delay so they could get the necessary votes to get the nomination out of committee. So I think the record speaks for itself as to the consideration of judicial appointments.

FAA REAUTHORIZATION

Mr. CARDIN. Mr. President, I think it is ironic that the Republican whip used this opportunity to talk about delaying judicial appointments when the Republicans are in their 68th filibuster in this Congress. Sixty-eight filibusters. The most recent, of course, is the Federal Aviation Administration Reauthorization Act, the bill that is on the floor right now that we will have a chance to vote on later today. We have been on this bill for over a week without a vote because the Republicans are filibustering it. This is a bill which is critically important to the people of this Nation—first and foremost because of safety. I think Senator MURRAY pointed this out very clearly.

We need to implement the next generation of an air transportation system that was recommended in 2004. We still haven't implemented that. This legislation provides \$290 million annually to modernize our satellite-based system. I am told there are some automobiles that have more sophisticated guidance systems or satellite identification systems than our planes. We need to do a better job.

We have a bill that was crafted in a bipartisan way in our committee that

has come forward. Let's consider it on the floor for the sake of the people of this Nation—for their safety. We know that every year millions and millions more people are flying. Air traffic is up. We need to modernize our system for the safety of the people of this country.

We need more safety inspectors; we certainly know that from what has happened this year with the number of aircraft that were not properly inspected. This bill will provide the wherewithal in order to make sure we carry out the inspections in the best interests of the people of this Nation.

I am sure people are very aware of their fellow citizens being stranded on runways for up to 11 hours without being tended to. This legislation provides for a passengers bill of rights so that we have some basic protection for those who travel by air in this country.

It is important for our entire country, but let me just point out what it means in Maryland.

We have 20 million passengers who go through the Baltimore/Washington International Thurgood Marshall Airport, adding \$5.1 billion to the economy of my State of Maryland. I could talk about the essential air service which affects one community in my State, the Hagerstown Regional Airport. That is in this bill.

My point is that this bill is a comprehensive bill that affects every part of our country, and it deserves a vote on this floor.

Hagerstown Regional Airport is critically important to the economic development of the people of that region, and the central air service which is extended in this legislation allows it to become the economic stimulus for additional growth in the Hagerstown area. So there is a lot depending upon this bill moving forward.

Yes, later today we are going to have a vote. It is a very simple vote. It is a vote on whether we are going to move forward on the legislation or we are going to allow the filibuster to continue—the 68th filibuster the Republicans have initiated in this Congress.

Majority Leader REID has made it clear that if the Republicans or any Member of the Senate doesn't like a provision in the bill, they can offer an amendment to take it out. We will have a vote on that amendment. There is no effort being made here to stop debate. What we are trying to do is take up a bill, not spend a full week in doing no work on the floor because we are in a filibuster. Let's end this filibuster, let's take up the amendments, let's vote on the amendments, and let the majority rule on this very important subject. That is what we are asking for today.

This is a bipartisan bill. It has enjoyed bipartisan support. The public wants us—Democrats and Republicans—to work together on issues that are critically important to the future of our country. Air traffic and passenger safety is critically important to

the future of America. So I urge my colleagues to put aside partisan differences and allow us to let democracy work. Allow us to vote on the issues. Allow us to bring forward this critically important bill to the people of this country. We will have a chance to do that later today, and I hope that the necessary Members of this body will vote to put aside their partisan differences and allow us to have a vote for the sake of the safety of the people of this Nation.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

FAA REAUTHORIZATION ACT OF 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2881, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2881) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2008 to 2011, to improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

Pending:

Rockefeller amendment No. 4627, in the nature of a substitute.

Reid amendment No. 4628 (to amendment No. 4627), to change the enactment date.

Reid amendment No. 4629 (to amendment No. 4628), of a perfecting nature.

Reid amendment No. 4630 (to the language proposed to be stricken by amendment No. 4627), to change the enactment date.

Reid amendment No. 4631 (to amendment No. 4630), of a perfecting nature.

Motion to commit the bill to the Committee on Finance, with instructions to report back forthwith, with Reid amendment No. 4636, to change the enactment date.

Reid amendment No. 4637 (to amendment No. 4636), of a perfecting nature.

Rockefeller amendment No. 4642 (to amendment No. 4637), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, it is an interesting situation in which we find ourselves today.

I guess I have to say last week was the most frustrating week I have spent in the Senate in my 24 years here. We are discussing an aviation bill which has highway provisions. We are discussing, for example, in the Presiding Officer's State, the need for essential